

## **REMARKS**

### **REJECTIONS UNDER 35 U.S.C. § 103**

#### **Claims 25, 36 and 44**

Claims 25, 36 and 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,285,883 issued to Bringby et al. (*Bringby*) in view of Itoh et al.: Performance of Handoff Alorithm Based on Distance and RSSI measurements (*Itoh*). Applicant submits claims 25, 36 and 44 are not obvious in view of *Bringby* and *Itoh* for at least the reasons set forth below.

Claims 25, 36 and 44 have been amended to include the allowable subject matter of claim 46. Thus, Applicant submits claims 25, 35 and 44 are in condition for allowance.

#### **Claims 26 and 37**

Claims 26 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bringby* in view of *Itoh* and further in view of U.S. Patent Publication No. 2001/0002822 to Watters et al. (*Watters*). Claims 26 and 37 depend from claim 25 and 36, respectively. Applicant submits claims 26 and 37 are allowable for at least the same reasons claims 25 and 36 are allowable.

#### **Claim 27**

Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bringby* in view of *Itoh* and further in view of U.S. Patent No. 6,466,164 issued to Akopian et al. (*Akopian*). Claim 27 depends from claim 25. Applicant submits claim 27 is allowable for at least the same reasons claim 25 is allowable.

Claim 45

Claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bringby* in view of *Itoh*, and further in view of U.S. Patent Publication No. 2003/0073455 to Hashem et al. (*Hashem*). Claim 45 depends from claim 44. As discussed above, claim 44 has been amended to include the allowable subject matter of claim 46. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits claim 45 is also in condition for allowance.

ALLOWABLE SUBJECT MATTER

Claims 34 and 35 are allowed. Claims 28-33, 38-43 and 46-48 were objected to as being dependent upon a rejected base claim. Claim 46 has been cancelled and the allowable subject matter of claim 46 has been incorporated into the independent claims. Given that the independent claims are allowable, Applicant submits dependent claims 28-33, 38-43 and 47-48 are also allowable.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claims 25-45 and 47-48 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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